

REMARKS

Claims 1-21 are pending in the Application. All of claims 1-21 were rejected in the Office action of December 30, 2005. Claims 1, 10, and 15 are independent claims. Claims 2-9, 11-14, and 16-21 depend either directly or indirectly from independent claims 1, 10, and 15, respectively. The Applicants request reconsideration of the pending claims 1-21, in light of the following remarks.

Amendments to the Claims

Claim 1 has been amended to add the text "...one or more circuits comprising..." to the preamble, to modify the text "...port means..." to read "...port...", and to correct a minor grammatical error. The Applicants respectfully submit that no new matter has been added by these amendments.

Claims 2 – 9 have been amended to change the text string "invention" to read "one or more circuits" for consistency with claim 1, and to correct punctuation or grammatical errors. The Applicants respectfully submit that no new matter has been added by these amendments.

Claim 10 has been amended to correct punctuation and grammar. The Applicants respectfully submit that no new matter has been added by these amendments.

Claim 15 has been amended to more clearly describe the claimed subject matter. The Applicants respectfully submit that no new matter has been added by these amendments.

Claims 16 – 21 have been amended to change the text string "invention" to read "apparatus" for consistency with claim 15. The Applicants respectfully submit that no new matter has been added by these amendments.

Objections to the Claims

Claims 5 – 9 and 16 – 21 were objected to, due to informalities. Claims 5 – 9 and 16 – 21 have been amended, as described above. Applicant believes that the amendments to claims 5 – 9 and 16 – 21 fully address the objections. Applicants respectfully request, therefore, that the objection to claims 5 – 9 and 16 – 21 be withdrawn.

Rejections of Claims

Claims 1-4, 15 and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Freeburg (US 4,850,032) in view of Shimada (US 4,866,667). The Applicants respectfully traverse the rejection.

With regard to an obviousness rejection, MPEP 2142 states that in order for a prima facie case of obviousness to be established, three basic criteria must be met, one of which is that the reference or combination of references must teach or suggest all the claim limitations. Further, MPEP 2143.01 states that "the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art suggests the desirability of the combination", and that "although a prior art device 'may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so'" (citing *In re Mills*, 916 F. 2d 680, 16 USPQ 2d 1430 (Fed Cir. 1990)). Moreover, MPEP 2143.01 also states that the level of ordinary skill in the art cannot be relied upon to provide the suggestion..., citing *Al-Site Corp. v. VSI Int'l Inc.*, 174 F. 3d 1308, 50 USPQ 2d. 1161 (Fed Cir. 1999).

Regarding amended claim 1, the Applicants submit that the proposed combination of references does not teach, suggest, or disclose, for example, in a data communication system having a plurality of mobile transceiver units communicative with a plurality of base transceiver units, one or more circuits comprising a network controller intercommunicative between the base transceiver units and one or more host computers for data interchange therebetween, having a port and providing selection of one of a plurality of electrical interface standards for communication using said port, based upon user input. The Applicants appreciate recognition in the Office action that Freeburg does not specifically disclose providing selection of one of a plurality of electrical interface standards for communicating using said port based upon a user input. (Office action item 4, page 3) The Office action alleges, however, that Shimada discloses providing selection of one of a plurality of electrical interface standards for communicating using said port means based upon a user input. The Applicants disagree. The Applicants respectfully submit that the proposed combination of Freeburg and Shimada fails to teach providing selection of one of a plurality of electrical interface standards for communicating using said port based

upon a user input. Instead, Shimada teaches a selector box adapted to be connected between a first terminal that comprises an RS232C interface, and a plurality N of second terminals, each of which also includes an RS232C interface. Shimada teaches selectively connecting a host side terminal (24 of Fig. 2) to one of a plurality of channel circuits (20-23 of Fig. 2), and does not teach selection of one of a plurality of electrical interface standards for communicating using a port means. (col. 4, lines 18-46) Shimada teaches only one electrical interface standard for communicating using said port means, namely RS232C. All of channel circuits 20-23 of Fig. 2 employ the same RS232C electrical interface standard. (col. 6, lines 58-62) Shimada fails to teach the channel circuits communicating using any electrical interface standards other than RS232C, and therefore fails to teach a plurality of electrical interface standards for communicating using a port. Shimada fails to teach anything with respect to selection of the electrical interface standard used by the channel circuits 20-23. As recognized by the Examiner, Freeburg is silent with respect to providing selection of one a plurality of electrical interface standards, and limits discussion to RS232 interfaces. Freeburg fails to disclose a means for user input for selection of an electrical interface standard. Instead, Freeburg merely discloses a data communication system having a network control processor with RS232 interfaces. (See Freeburg, e.g., FIG. 1 and 2, and respective text). The Applicants respectfully submit that, for at least these reasons, the proposed combination of Freeburg and Shimada fails to teach or suggest all of the limitations recited in Applicants amended claim 1.

Therefore, for at least the above stated reasons, the Applicants respectfully submit that amended claim 1 is allowable over the proposed combination of Freeburg and Shimada. Claim 1 is an independent claim. Because claims 2 - 9 depend either directly or indirectly from claim 1, Applicants respectfully submit that claims 2 - 9 are allowable over the proposed combination of references, as well. Therefore, the Applicants respectfully request that the rejection of claims 1-4 under 35 U.S.C. §103(a), be withdrawn.

Regarding amended claim 15, the Applicants respectfully submit the proposed combination of references does not teach, suggest, or disclose, for example, an apparatus for capturing, transmitting and processing data, said apparatus including an image capture device and processing and transmitting units for radiating information in the form of electromagnetic waves, a stationary receiver, and a data processor coupled to the stationary receiver, comprising

a network controller member having a multiplicity of communication ports thereon, said network controller member intercommunicative with said data processor at one of said communication ports, said network controller member intercommunicative with said stationary receiver at another of said communication ports, said network controller member selectively operable with said data processor using one of a plurality of electrical interface standards, based upon user input. More specifically, Applicants respectfully submit that the proposed combination of Freeburg and Shimada fails to teach a network controller member intercommunicative with a data processor at one of a multiplicity of communication ports, where the network controller member is selectively operable with the data processor using one of a plurality of electrical interface standards, based upon user input. The Applicants respectfully submit that Applicants' claim 15 is allowable over the proposed combination of references for at least the reasons set forth above with respect to claim 1.

Therefore, for at least the above stated reasons, the Applicants respectfully submit that amended claim 15 is allowable over the proposed combination of Freeburg and Shimada. Claim 15 is an independent claim. Because claims 16 - 21 depend either directly or indirectly from claim 15, Applicants respectfully submit that claims 16 - 21 are allowable over the proposed combination of references, as well. Therefore, the Applicants respectfully request that the rejection of claims 15 and 19 under 35 U.S.C. §103(a), be withdrawn.

Claims 5 and 8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Freeburg in view of Shimada as applied to claim 4 above, and further in view of Fadem (US 5,090,013). The Applicants respectfully traverse the rejection. Applicants respectfully submit that amended claims 5 and 8 depend either directly or indirectly from independent claim 1. Applicants believe that independent claim 1 is allowable over the proposed combination of references, in that the proposed combination of references fails to overcome the deficiencies of Freeburg and Shimada, as set forth above. Because claims 5 and 8 depend indirectly from claim 1, the Applicants respectfully submit that dependent claims 5 and 8 are allowable over the proposed combination of references for at least the reasons set forth above with respect to claim

1. Therefore, the Applicants respectfully request that the rejection of claims 5 and 8 under 35 U.S.C. 103(a) be withdrawn.

Claim 6 was rejected under 35 U.S.C. 103(a) as being unpatentable over Freeburg in view of Shimada as applied to claim 1 above, and further in view of Gilhousen et al. (US 5,109,390, hereinafter "Gilhousen"). The Applicants respectfully traverse the rejection. Applicants respectfully submit that amended claim 6 depends from independent claim 1. Applicants believe that independent claim 1 is allowable over the proposed combination of references, in that the proposed combination of references fails to overcome the deficiencies of Freeburg and Shimada, as set forth above. Because claim 6 depends from claim 1, the Applicants respectfully submit that dependent claim 6 is allowable over the proposed combination of references for at least the reasons set forth above with respect to claim 1. Therefore, the Applicants respectfully request that the rejection of claim 6 under 35 U.S.C. 103(a) be withdrawn.

Claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Freeburg in view of Shimada as applied to claim 1 above, and further in view of Ide et al. (US 4,739,288, hereinafter "Ide"). The Applicants respectfully traverse the rejection. Applicants respectfully submit that amended claim 7 depends from independent claim 1. Applicants believe that independent claim 1 is allowable over the proposed combination of references, in that the proposed combination of references fails to overcome the deficiencies of Freeburg and Shimada as set forth above. Because claim 7 depends from claim 1, the Applicants respectfully submit that dependent claim 7 is allowable over the proposed combination of references for at least the reasons set forth above with respect to claim 1. Therefore, the Applicants respectfully request that the rejection of claim 6 under 35 U.S.C. 103(a) be withdrawn.

Claims 9 and 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Freeburg in view of Shimada as applied to claims 1 and 15 above, and further in view of Duis (GB 2288249A) and Lubarsky et al. (US 4,841,437, hereinafter "Lubarsky"). The Applicants respectfully traverse the rejection. Applicants respectfully submit that amended claims 9 and 21 depend from independent claims 1 and 15, respectively. Applicants believe that independent claims 1 and 15 are allowable over the proposed combination of references, in that the proposed combination of references fails to overcome the deficiencies of Freeburg and Shimada, as set forth above. Because claims 9 and 21 depend, respectively, from claims 1 and 15, the Applicants respectfully submit that dependent claims 9 and 21 are allowable over the proposed combination of references for at least the reasons set forth above with respect to claims 1 and 15, respectively. Therefore, the Applicants respectfully request that the rejection of claims 9 and 21 under 35 U.S.C. 103(a) be withdrawn.

Claims 10 and 12 - 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Freeburg in view of Duis and further in view of Shimada. The Applicants respectfully traverse the rejection.

Regarding amended claim 10, the Applicants respectfully submit the proposed combination of references does not teach, suggest, or disclose, for example, in a data communication system having a multiplicity of mobile portable transceiver units communicative by radio means with base transceiver units, an apparatus for data interchange between said base transceiver units and a host computer comprising a housing having a multiplicity of communication ports thereon, at least three of said communication ports selectively controllable to provide data interchange using an RS232 electrical interface standard, based upon user input, at least two of said communication ports selectively controllable to provide data interchange using a RS422 electrical interface standard, based upon user input. The Applicants appreciate recognition in the Office action that Freeburg does not specifically disclose at least three of the communication ports selectively controllable to provide interchange using an RS422 electrical interface standard and based upon user input. (Office action item 9, page 7) The Applicants also appreciate recognition in the Office action that the combination of Freeburg and Duis fail to

disclose providing selection of one of a plurality of electrical interface standards for communicating using said port means based upon a user input. (Office action item 9, page 7) The Office action alleges, however, that Shimada discloses providing selection of one of a plurality of electrical interface standards for communicating using port means based upon user input. (Office action item 9, page 7) The Applicants disagree. Instead, Shimada teaches a selector box adapted to be connected between a first terminal that comprises an RS232C interface, and a plurality N of second terminals, each of which also includes an RS232C interface. Shimada teaches selectively connecting a host side terminal (24 of Fig. 2) to one of a plurality of channel circuits (20-23 of Fig. 2), and does not teach selection of one of a plurality of electrical interface standards for communicating using a port. (col. 4, lines 18-46) Shimada teaches only one electrical interface standard for communicating using said port means, namely RS232C. All of channel circuits 20-23 of Fig. 2 employ the same RS232C electrical interface standard. (col. 6, lines 58-62) Shimada fails to teach the channel circuits communicating using any electrical interface standards other than RS232C, and therefore fails to teach a plurality of electrical interface standards for communicating using a port. Shimada fails to teach anything with respect to selection of the electrical interface standard used by the channel circuits 20-23. Freeburg and Duis also fail to teach anything with respect to the selection of an electrical interface standard based on user input.

Therefore, for at least the above stated reasons, the Applicants respectfully submit that claim 10 is allowable over the proposed combination of Freeburg, Duis and Shimada. Claim 10 is an independent claim. Because claims 12 - 14 depend from claim 10, Applicants respectfully submit that claims 12 - 14 are allowable over the proposed combination of references, as well. Therefore, the Applicants respectfully request that the rejection of claims 10 and 12 - 14 under 35 U.S.C. §103(a), be withdrawn.

Claim 11 was rejected under 35 U.S.C. 103(a) as being unpatentable over Freeburg in view of Duis and Shimada and further in view of Lubarsky. The Applicants respectfully traverse the rejection. Applicants respectfully submit that claim 11 depends from independent claim 10. Applicants believe that independent claim 10 is allowable over the proposed combination of

references, in that the proposed combination of references fails to overcome the deficiencies of Freeburg, Duis and Shimada, as set forth above. Because claim 11 depends from claim 10, the Applicants respectfully submit that dependent claim 11 is allowable over the proposed combination of references for at least the reasons set forth above with respect to claim 10. Therefore, the Applicants respectfully request that the rejection of claim 11 under 35 U.S.C. 103(a) be withdrawn.

Claims 16 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Freeburg in view of Shimada and further in view of Alvarez, III et al. (US 4,332,026, hereinafter "Alvarez"). The Applicants respectfully traverse the rejection. Applicants respectfully submit that amended claims 16 and 20 depend from independent claim 15. Applicants believe that independent claim 15 is allowable over the proposed combination of references, in that the proposed combination of references fails to overcome the deficiencies of Freeburg and Shimada, as set forth above. Because claims 16 and 20 depend from claim 15, the Applicants respectfully submit that dependent claims 16 and 20 are allowable over the proposed combination of references for at least the reasons set forth above with respect to claim 15. Therefore, the Applicants respectfully request that the rejection of claims 16 and 20 under 35 U.S.C. 103(a) be withdrawn.

Claim 17 was rejected under 35 U.S.C. 103(a) as being unpatentable over Freeburg in view of Shimada and further in view of Sasuta et al. (US 4,698,805, hereinafter "Sasuta"). The Applicants respectfully traverse the rejection. Applicants respectfully submit that amended claim 17 depends from independent claim 15. Applicants believe that independent claim 15 is allowable over the proposed combination of references, in that the proposed combination of references fails to overcome the deficiencies of Freeburg and Shimada, as set forth above. Because claim 17 depends from claim 15, the Applicants respectfully submit that dependent claim 17 is allowable over the proposed combination of references for at least the reasons set

forth above with respect to claim 15. Therefore, the Applicants respectfully request that the rejection of claim 17 under 35 U.S.C. 103(a) be withdrawn.

Claim 18 was rejected under 35 U.S.C. 103(a) as being unpatentable over Freeburg in view of Shimada and further in view of Saito et al. (US 5,019,966, hereinafter "Saito"). The Applicants respectfully traverse the rejection. Applicants respectfully submit that amended claim 18 depends from independent claim 15. Applicants believe that independent claim 15 is allowable over the proposed combination of references, in that the proposed combination of references fails to overcome the deficiencies of Freeburg and Shimada, as set forth above. Because claim 18 depends from claim 15, the Applicants respectfully submit that dependent claim 18 is allowable over the proposed combination of references for at least the reasons set forth above with respect to claim 15. Therefore, the Applicants respectfully request that the rejection of claim 18 under 35 U.S.C. 103(a) be withdrawn.

Conclusion

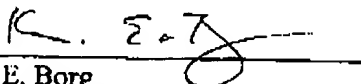
The Applicants believe that all of claims 1-21 are in condition for allowance. Should the Examiner disagree or have any questions regarding this submission, the Applicants invite the Examiner to telephone the undersigned at (312) 775-8000.

A Notice of Allowability is courteously solicited.

The Commissioner is hereby authorized to charge any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 13-0017.

Respectfully submitted,

Dated: March 30, 2006


Kevin E. Borg
Reg. No. 51,486

McANDREWS, HELD & MALLOY, LTD.
500 West Madison Street
Suite 3400
Chicago, Illinois 60661
Phone (312) 775-8000
Facsimile (312) 775-8100